



1646

DOCKET NUMBER 14114.0344U2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AT3
165
6-15-01

In re Application of)
Yury E. Khudyakov *et al.*)
Serial No. 09/491,146)
Filed: January 25, 2000)
For: MOSAIC PROTEIN AND RESTRICTION)
ENDONUCLEASE ASSISTED LIGATION)
METHOD FOR MAKING THE SAME)

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REVOCATION AND SUBSTITUTE POWER OF ATTORNEY

Assistant Commissioner of
Patents and Trademarks
Washington, D.C. 20231

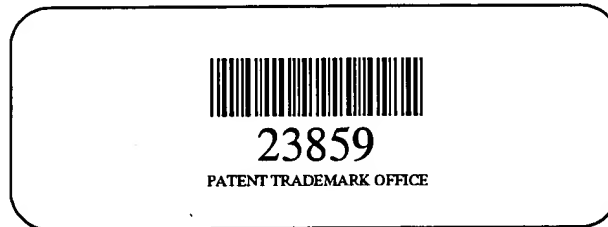
Centers for Disease Control and Prevention
Technology Transfer Office
1600 Clifton Road
MS-E67
Atlanta, GA 30333

February 20, 2001

Sir:

The Government of the United States of America, represented by the Secretary, Department of Health and Human Services, Centers for Disease Control and Prevention, is owner of the above-identified patent application, as evidenced by the attached Assignment from YURY E. KHUDYAKOV and HOWARD A. FIELDS to the Centers for Disease Control and Prevention, which Assignment is being submitted for recordation concurrent with the submission of the Revocation and Substitute Power of Attorney.

As a representative authorized to act on behalf of the Centers for Disease Control and Prevention, I hereby revoke all Powers of Attorney heretofore given and grant Power of Attorney to



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NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811
(404) 688-0770

to represent the Centers for Disease Control and Prevention in connection with all matters pertaining to the above-referenced application, with full power of substitution, association and revocation, to prosecute said application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I further grant an Associate Power of Attorney to:

Russ P. Metler	Reg. No. 45,365
Marc Filigenzi	Reg. No. 46,700
Jacqueline A. Quay	Reg. No. 47,011
Andrew Watkins	Reg. No. 38,653

to represent the Centers for Disease Control and Prevention in connection with all matters pertaining to the above-referenced application, to prosecute said application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Address all telephone calls to Gwendolyn D. Spratt, at telephone number (404) 688-0770.

Address all correspondence to:

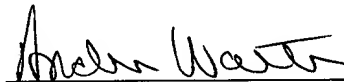
Gwendolyn D. Spratt, Esq.
Needle & Rosenberg, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

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SERIAL NO. 09/491,146

The Centers for Disease Control and Prevention, Technology Transfer Office has been duly delegated responsibility for such patent matters under the authority of the memorandum dated January 31, 1997, from Donna E. Shalala, the Secretary of the Department of Health and Human Services, delegating the authority to the Heads of the Public Health Service Operating Divisions, as well as a memorandum dated October 12, 2000, from Jeffrey P. Koplan, M.D., M.P.H., the Director of the Centers for Disease Control and Prevention (who is a Head of a Public Health Service Operation Division), delegating authority to sign this Power of Attorney to the Associate Director for Science and the Director of the Technology Transfer Office of the Centers for Disease Control and Prevention. The undersigned is authorized to exercise such authority in this manner.

Executed on FEBRUARY 22, 2001, at Atlanta, Georgia.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES



Andrew Watkins
Director, Technology Transfer Office
Centers for Disease Control and Prevention (CDC)
1600 Clifton Road NE (E67)
Atlanta, GA 30333
(404) 639-6270

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ASSIGNMENT

WHEREAS, we, YURY E. KHUDYAKOV and HOWARD A. FIELDS, employees of the Department of Health and Human Services, Centers for Disease Control and Prevention, at the time this invention was made, have invented "**MOSAIC PROTEIN AND RESTRICTION ENDONUCLEASE ASSISTED LIGATION METHOD FOR MAKING THE SAME**," for which we have made application for Letters Patent of the United States, Serial No. 09/491,146 filed January 25, 2000 and Serial No. 08/921,887 filed August 25, 1997, Patent No. 6,030,771; and

WHEREAS, we the applicant(s) named in the above-identified application for Letters Patent; and

WHEREAS, the conditions under which said invention was made are such as to entitle **THE UNITED STATES OF AMERICA** [hereinafter **THE GOVERNMENT**] under Paragraph 1(a) of Executive Order 10096 to the entire right, title, and interest herein, both domestic and foreign; and

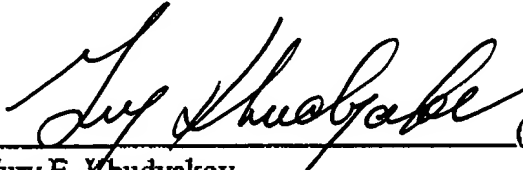
WHEREAS, **THE GOVERNMENT** is desirous of acquiring all domestic and foreign right, title, and interest in the above-mentioned invention described in the application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby assign and transfer to **THE GOVERNMENT**, represented by the Secretary, Department of Health and Human Services, Centers for Disease Control and Prevention, the full and exclusive rights in and to said invention in the United States and within each and every foreign country in which **THE GOVERNMENT** elects to file and the entire right, title, and interest in and to such application, and any subsequent application claiming priority to the above-identified application under 35 U.S.C. § 119(e), continuation,

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continuation-in-part, division, reissue, reexamination, or extension thereof, and including priority rights as may be filed in the United States and foreign countries, and such Letters Patent as may be granted to be held by **THE GOVERNMENT** to the end of the term for which the same would have been held by the inventors had this assignment not been made.

We further agree to make, execute, and deliver to the Secretary, Department of Health and Human Services, Centers for Disease Control and Prevention, upon request, any and all papers, documents, affidavits, or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and to assist **THE GOVERNMENT** in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by **THE GOVERNMENT**.



Yury E. Khudyakov (L.S.)

4-6-01
DATE



Howard A. Fields (L.S.)

4/6/01
DATE